

I consider our national telecommunications infrastructure a utility and public service; as important as water or electricity. I pay for this service to communicate with those I wish to communicate with. I don't pay for the service to subsidize the marketing budgets of every business in the country. Our rights as "citizens" to communicate is being trampled on by the non-existent "rights" of "companies" to market "in your face (aka your home)". The constitution wasn't written to give people the right to solicit you for money. Any "freedom of speech" issues brought up by their very powerful lobbying organizations should be dismissed for the propaganda it is.

For years we've played "catch up". Telemarketers start calling us at all hours; we buy "caller id" service from the phone company. We can see the phone number of the caller, but still have to run to the phone when it rings to see who it is. Then telemarketers start blocking their caller-ids (intentionally or otherwise). So we buy yet another service from the phone company "Call Intercept (Verizon's name for the service)" - that prevents the phone from ringing for blocked numbers. Now we end up blocking friends on wireless phones and "other" (non-compatible) phone systems. And we're paying an extra \$15+ per month for this "privilege". All in a futile attempt to avoid the incessant, ever-increasing, and annoying interruptions all day long from telemarketers.

It practically takes a "professional" to keep up with name, time, and numbers for companies that you have "requested" place you on a "do not call list". And who has the time/inclination to go to \*court\* to chase them down for violations? In Virginia, state agencies are not at all helpful in TCPA issues, and many judges are still ignorant of TCPA rules.

\*I would gladly pay \$5 (or similar) to be put on a "national" do-not-call list. Especially considering I could then likely cancel \$7.50-\$15.00 per MONTH in special services I subscribe to from Verizon in the vain attempts to block telemarketing calls anyway.

Junk faxes are another issue that plague us. Northern Virginia seems to be second only to California (home of Fax dot com) and Colorado (home of Sunbelt) in the volume of junk faxes received. Disturbingly, a majority of the junk faxes I personally receive (I average 2-3 per week) are from local small businesses; either ignorant of the TCPA or not concerned about the likelihood of any enforcement actions.

Steps need to be taken in two areas here I believe.

1) Make it easier for citizens to pursue and collect on TCPA violations. This may include mandating rules to release subscriber information/addresses by phone companies to citizens trying to track down these junk faxers. Specifying that the jurisdiction for lawsuits is the locality of the "RECIPIENT" of the fax (not the sender's home locality).

2) More education of the laws needs to be done. Short simple mailers could be sent to several target groups with simple headlines like  
\*Sending an unsolicited fax is ILLEGAL, and can cost you \$500-\$1500 PER FAX.  
See [www.fcc.gov/tcpa.html](http://www.fcc.gov/tcpa.html) for details

Target the following groups in the mailings:  
-The Better Business Bureau (and it's affiliates)  
-Every state/county/city chamber of commerce  
-District court/small claims court judges

-Ask/enforce that vendors of faxing software/machines include a postcard sized warning with their packages as well. I own a software business and would gladly include such a notice with my software - especially if all my competitors HAD to do so as well. It could be pointed out to them that at some point in the foreseeable future, some lawyer will likely sue the makers of such hardware/software for enabling users to "break the law" anyway, and such a warning could diffuse their liability.

Thank you for the opportunity to comment on the proposed legislation. Now I have a stack of about 70 junk faxes I've been collecting for the past several months that I need to package up and send off to you. :-)